

REMARKS

This Response is submitted in reply to the non-final Office Action dated January 23, 2007, issued in connection with the above-identified application. Claims 13-19 remain pending in the application. With this Response, claim 13 has been amended, and claims 20-25 have been added. No new matter has been introduced. Thus, favorable reconsideration is respectfully requested.

The Applicants thank Examiner Goetze for granting the Examiner Interview on April 11, 2007, with the Applicants' representative. During the Interview, the rejections to the independent claims in view of Knauerhase and Haverinen were discussed in detail. It was noted that none of the prior art discloses the use of identification information that indicates a type of local area network and a third party service provided by the local area network. At the conclusion of the Interview, the Examiner suggested amending the independent claims to point out the "third party service" aspect of the present invention. The Examiner also indicated that further search and consideration would likely be necessary before a determination on allowability of the claims could be made.

Claims 13-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Knauerhase et al. (U.S. Patent No. 6,941,146, hereafter "Knauerhase") in view of Haverinen et al. (U.S. Publication No. 2003/0119481, hereafter "Haverinen"). The Applicants respectfully traverse the rejections noted above.

The Applicants have amended independent 13 consistent with the recommendations made during the Examiner Interview conducted on April 11, 2007. Thus, the Applicants maintain that the cited references fail to teach or suggest all the features recited in at least independent claim 13 (as amended). Additionally, the Applicants also respectfully maintain that there is no motivation to combine the cited references relied on by the Examiner.

Claim 13 is directed to a method of operating terminals of a mobile radio communication system in a local wireless network. The method includes storing access information on a terminal, wherein the access information includes at least first and second items of identification information. The first item provides identification information related to the mobile radio communication system, and the second item provides information related to a local area network.

More specifically, the second item provides information about the location and type of local area network as well as information about third party services provided by the local area network.

In the Office Action, the Examiner reads the limitation “wherein the second item of identification information comprises a second item of network information indicating the type of the local area network” as rendered obvious by “information regarding the testing of each transceiver that is stored,” disclosed in Knauerhase. However, the Applicants respectfully submit that the Examiner’s interpretation is only possible using impermissible hindsight. In other words, one of ordinary skills in the art would not understand “information regarding testing” in Knauerhase as the claimed “second identification information” without first gleaning something from Applicants’ disclosure. At best, one of ordinary skill in the art would understand that “information regarding testing” in Knauerhase as a means of identifying the characteristics of the transceivers, like e.g., the transmitting power. This is further supported by the fact that, according to Knauerhase, all transceivers are tested, and one of ordinary skill in the art would know that identification of the type of local area network can be accomplished through communication with just one transceiver.

Additionally, the Examiner interprets the limitation “wherein the second item of identification information comprises a third item of network information indicating at least one a service provided by the local area network” as a type of 802.11 connection available in the area. However, the term “service” according to the present invention pertains to a third party applications the network offers or gives access to, not the type of connection. Interpreting communicating over the air as “a service,” can hardly be understood without, again, gleaning something from the Applicants’ disclosure (i.e., impermissible hindsight). Additionally, even if given the Examiner’s interpretation, Knauerhase still fails to teach or suggest that the “service” relied on by the Examiner is a third party service provided by the local area network.

Furthermore, Haverinen fails to overcome the deficiencies noted above in Knauerhase. At the outset, one of ordinary skills in the art would likely avoid or dismiss the teaching of Haverinen. Haverinen teaches that “...the local network does not require data about roaming agreements between different PLMN operators, nor is it necessary to provide local networks with functionality implementing network selection” (see Haverinen, ¶0083). Thus, Haverinen appears to contradict or teach away from Knauerhase; since Knauerhase teaches a system that relies on map servers

containing the data, which according to Haverinen, is not required. (see Knauerhase, col. 2, lines 49-53). Additionally, similar to Knauerhase, Haverinen fails to teach or suggest a third item of network information indicating at least one third party service provided by the local area network, as recited in claim 13 (as amended).

Accordingly, independent claim 13 is distinguished over the cited references for at least the reasons noted above. Additionally, dependent claims 14-19 are also distinguished over the cited references based on their dependency from independent claim 13. New claims 21-25 are also distinguished over the cited references for the similar reasons noted above.

Based on the foregoing, the Applicants respectfully request withdrawal of all the rejections and allowance of the application. If there are any additional fees that are due in connection with this application as a whole, the Director is authorized to deduct those fees from Deposit Account No. 02-1818. If such a deduction is made, please indicate Attorney Docket No. 0112740-1078 on the account statement.

Respectfully submitted,

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